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6 Attorneys for Plaintiff
Shoreline Capital Management, Ltd.
7

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION
11

12 SHORELINE CAPITAL MANAGEMENT,
LTD., a British Virgin Islands company
13 limited by shares,

No. JW CV 08 0121

14 Plaintiff,

15 vs.

16 XIAOBING SUN, an individual, also known
as DANIEL SUN,
17

DECLARATION OF DAVID COMMINS
SUPPORTING SHORELINE CAPITAL
MANAGEMENT, LTD.'S
MEMORANDUM RE SUBJECT MATTER
JURISDICTION

Defendant.

I, David H.S. Commins, say:

1. I am a shareholder and director of Commins & Webster, P.C., attorneys
for Plaintiff Shoreline Capital Management, Ltd. (Shoreline), the Plaintiff in this action. I have
personal knowledge of the matters set forth in this Declaration and would competently testify to
them if called as a witness.

1 2. On Tuesday, January 29, 2008, I asked counsel for Mr. Sun, via e-mail, if
2 Mr. Sun had filed any AR-11 forms in 2007, but to date I have received no response. A true and
3 correct copy of my e-mail to Mr. Jung is attached as Exhibit A.

4

5 3. On Wednesday, January 30, 2008, I spoke with Mr. Jung about whether
6 Mr. Sun would produce any AR-11 forms. Mr. Jung said he did not know.

7

8 4. To date, my firm has not received any AR-11 forms from Defendant.

9

10 I declare under penalty of perjury under the laws of the United States that the
11 foregoing is true and correct.

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13 DATED: January 31, 2008.

14

15 _____
16 / David H.S. Commins/
17 David H.S. Commins

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David Commins

From: David Commins [david@commins.com]
Sent: Tuesday, January 29, 2008 3:05 PM
To: 'Charles Jung'
Cc: 'Ken Webster'
Subject: AR-11 Forms

Dear Charles,

We did not receive any AR-11 forms with the papers you provided yesterday. Did Mr. Sun submit any to the U.S. CIS or to Homeland Security in 2007?

David

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